DETAILED ACTION

Application Status

In response to a previous Office action, a final requirement (mailed on March 21, 2008), Applicants filed an amendment on September 17, 2008, amending claim 30, and canceling claim 2 is acknowledged. Claims 3-20 remain canceled and claims 30-33 remain withdrawn as they are drawn to non-elected invention.

Claims 1 and 21 are now under consideration and are present for examination.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mark J. FitzGerald the representative of the instant application on October 1, 2008.

Amend claims as follows:

Claim 1, line 2; replace "at least about 95%" with "at least 95%".

Claim 1, line 3; replace "at least about 95%" with "at least 95%".

Claim 21, line 2-3; replace "and if needed suitable auxiliary substances and/or additives" with "and optionally auxiliary substances and/or additives".

Claims 30-33 are cancelled.

Allowable Subject Matter

Claims 1 and 21 are allowed.

Reasons for Allowance

The following is an examiner's statement of reasons for allowance: The applicant has claimed an isolated protein and a composition comprising an amino acid sequence of SEQ ID NO: 1 or an amino acid sequence having at least 95% sequence identity to SEQ ID NO: 1, wherein mutations in said sequence having at least 95% sequence identity are located in a sequence portion selected from the group consisting of: a) the N-terminal fragment of 330 amino acids or less, including the catalytic region, and b) the C-terminal fragment of 413 amino acids or less, including a regulatory domain, and wherein the protein is a neuronally active,.. In view of Applicants' claim amendments and Examiner's amendment, all prior rejections are withdrawn. The prior art does not teach an isolated protein having an amino acid sequence shown in SEQ ID NO: 1 or an amino acid sequence having 95% sequence identity to SEQ ID NO: 1. A standard search did not produce any prior art that suggests or teaches the claimed invention. The claimed invention is novel and nonobvious over the prior art. Any comments considered necessary by applicant must be submitted no later than the payment of the

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issue fee and, to avoid processing delays, should preferably accompany the issue fee.

Such submissions should be clearly labeled "Comments on Statement of Reasons for

Allowance."

      Any inquiry concerning this communication or earlier communications from the examiner should be directed to Iqbal Chowdhury, Ph.D. whose telephone number is (571) 272-8137. The examiner can normally be reached on Monday-Friday from 9:00-5:00.

      If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nashaat T. Nashed, can be reached at (571) 272-0934.

      Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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